

REMARKS

Claims remaining in the present patent application are Claims 1-23. The Applicants respectfully request consideration of the above captioned patent application in light of the remarks presented herein.

35 U.S.C. § 112

Claims 1-23 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses.

Applicant respectfully asserts that the rejections of Claims 1-7 and 9-23 reflect an improper application of 35 U.S.C. § 112, second paragraph. Applicant respectfully asserts that claims are not required to specify every element required for enablement if such is well known. Applicant respectfully asserts that one of ordinary skill in the art would understand Claims 1-23 to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For example, with respect to Claim 1, the rejection states, "it is unclear when 'in a delay lock loop mode and a phase locked loop mode' will be happened [sic] and how the phase detector and the phase frequency detector can recognize

the modes. Applicant respectfully asserts that the answer to the “how” question is the proper purview of the specification.

For this reason, Applicants respectfully assert that Claims 1-7 and 9-23 overcome the rejections of record, and respectfully solicit allowance of these Claims.

With respect to Claim 8, the rejection alleges, “the recitation ‘said plurality of phase’ lacks antecedent basis.” Applicant respectfully traverses. Applicant respectfully asserts that the phrase “said plurality of phase” does not appear in Claim 8. Furthermore, a similar phrase, “plurality of phases” appears in the preamble of Claim 1, from which Claims 2-9 depend. Consequently, even if the phrase did appear as alleged, it finds support in Claim 1.

For this reason, Applicant respectfully asserts that Claim 8 overcomes the rejections of record, and respectfully solicits allowance of this Claim.

35 U.S.C. § 102

Claim 10 stands rejected under 35 USC § 102(b) as allegedly anticipated by Kurd (US 6,043,717, “Kurd”). Applicant has carefully reviewed the cited reference and respectfully asserts that embodiments of the present invention as recited in Claim 10 are not anticipated or rendered obvious by Kurd.

Applicant respectfully asserts that Kurd does not teach or suggest a method comprising “configuring (an element) as a voltage controlled delay line in an delay lock loop mode to perform coarse adjustment” and “configuring (an element) as a voltage controlled oscillator in a phase locked loop mode to perform fine adjustment” as recited by Claim 10. In contrast, Kurd teaches a frequency synthesis system configurable “to operate in either a delay lock loop mode or a phase lock loop mode” (Abstract). There is no suggestion in Kurd that his circuits be operated in both modes in a particular sequence, nor is there a suggestion in Kurd that one mode be used to perform “coarse adjustment” and the other mode be used for “fine adjustment” as recited by Claim 10. Further, the “mode select” input (Figures 2-4) is shown as an independent, external input to Kurd.

For these reasons, Applicants respectfully assert that Claim 10 overcomes the rejections of record, and respectfully solicits allowance of this Claim.

35 U.S.C. § 103

Claims 1-5, 8-17 and 19-23 stand rejected under 35 USC § 103(a) as allegedly unpatentable over Dunn (US 4,069,462, “Dunn”) in view of Kurd (US 6,043,717, “Kurd”). Applicant has carefully reviewed the cited references and respectfully asserts that embodiments of the present invention as recited in Claims 1-5, 8-17 and 19-23 are not rendered obvious by Dunn in view of Kurd.

Claims 1-5, 8-17 and 19-23 recite, in part, a delay lock loop circuit or mode. Applicant respectfully asserts that Dunn actually teaches away from a delay lock loop circuit or mode as claimed by teaching using “only phase synchronization so that the phase lock-up time is predictable...” (column 2, lines 38-39).

For this reason, Applicants respectfully assert that Claims 1-5, 8-17 and 19-23 overcome the rejections of record, and respectfully solicit allowance of these Claims.

In addition, Applicants respectfully assert that the proposed combination of Dunn in view of Kurd is improper, as such combination would change the principle of operation of Dunn. For example, as Dunn sets out to use “only phase synchronization so that the phase lock-up time is predictable...” (column 2, lines 38-39), Applicant respectfully asserts that one of ordinary skill in the art would understand such modification to employ a delay lock loop as requiring a fundamental change to Dunn.

For this additional reason, Applicants respectfully assert that Claims 1-5, 8-17 and 19-23 overcome the rejections of record, and respectfully solicit allowance of these Claims.

Further, Applicants respectfully assert that the proposed modification of Dunn in view of Kurd does not teach or suggest first and second output signals of

a phase generator as recited by Claim 1. In contrast, both Dunn and Kurd show a single output.

For this additional reason, Applicants respectfully assert that Claim 1 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Claims 2-9 depend from Independent Claim 1. Applicant respectfully asserts that these Claims overcome the rejections of record as they depend from an allowable base claim, and respectfully solicits allowance of these Claims.

With respect to Claim 10, Applicants respectfully assert that Claim 10 overcomes the rejections under 35 USC § 103(a) for the rational previously presented with respect to Claim 10.

For this additional reason, Applicants respectfully assert that Claim 10 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Claims 11-14 depend from Independent Claim 1. Applicant respectfully asserts that these Claims overcome the rejections of record as they depend from an allowable base claim, and respectfully solicits allowance of these Claims.

Claims 16-23 depend from Independent Claim 15. Applicant respectfully asserts that these Claims overcome the rejections of record as they depend from an allowable base claim, and respectfully solicits allowance of these Claims.

Claims 6-7 and 18 stand rejected under 35 USC § 103(a) as allegedly unpatentable over Dunn (US 4,069,462, "Dunn") in view of Kurd (US 6,043,717, "Kurd") and further in view of Paakinson (JP404227314A, "Paakinson"). Applicant has carefully reviewed the cited references and respectfully asserts that embodiments of the present invention as recited in Claim 10 are not rendered obvious by Dunn in view of Kurd.

Claims 6-7 and 18 depend from allowable base claims. As such, Applicant respectfully asserts that these Claims overcome the rejections of record, and respectfully solicits allowance of these Claims.

As previously presented, Dunn teaches away from embodiments of the present invention as recited in Claims 6-7 and 18. For this additional reason, Applicant respectfully asserts that Claims 6-7 and 18 overcome the rejections of record, and respectfully solicits allowance of these Claims.

Applicant reiterates the arguments against a combination of Dunn and Kurd previously presented. For this yet additional reason, Applicant respectfully asserts that Claims 6-7 and 18 overcome the rejections of record, and respectfully solicits allowance of these Claims.

CONCLUSION

Claims remaining in the present patent application are Claims 1-23. The Applicants respectfully request consideration of the above captioned patent application in light of the remarks presented herein.

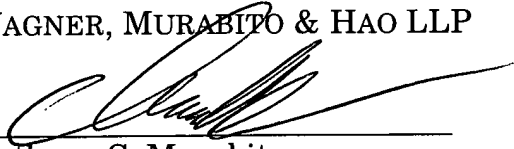
Applicant has reviewed the following reference that was cited but not relied upon, and does not find this reference to show or suggest embodiments of the present invention: US 5,420,543.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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